

due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of Article 129; improve implementation of the protection provisions in the 2007 anti-trafficking law; provide financial or in-kind assistance to anti-trafficking organizations providing assistance to victims; develop a formal process for encouraging victims to assist in investigating and prosecuting suspected traffickers; increase awareness efforts among the general public; and continue to develop formal relationships with civil society groups to coordinate national anti-trafficking efforts.

PROSECUTION

The government demonstrated some progress in anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking in persons through Article 129 of its criminal code. Prescribed penalties under this statute range from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, Article 129 provides that, unless certain aggravating circumstances are present, a convicted trafficking offender would not be sentenced if he or she voluntarily freed the victim. Turkmenistan's 2007 anti-trafficking law sets forth the anti-trafficking responsibilities of government agencies and includes measures to protect trafficking victims as well as prevention strategies. In 2014, the government reported it initiated prosecution of six cases against an unknown number of defendants and convicted nine offenders under Article 129, compared with three convictions in 2013. All of these cases involved Turkmen citizens recruited by other Turkmen citizens and exploited in foreign countries. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. In April 2014, 20 law enforcement officials, judges, and prosecutors attended training conducted by OSCE on trafficking prevention mechanisms, the role of law enforcement in prosecutions, and coordination with other countries. The prosecutor general's office and the State Migration Service (SMS) reported they independently trained their officials on trafficking-related issues.

PROTECTION

The government made limited efforts to protect and assist victims. The government did not provide services to victims of trafficking, nor did it fund international organizations or NGOs to provide such services. The government identified 19 victims of trafficking in 2014, a decrease from 33 victims identified in 2013. An international organization reported assisting 62 victims; however, the government did not provide funding in support of this provision of care. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign donor funding. The shelter provided services to eight female victims in 2014. Local NGOs assisted all 62 victims with medical counseling services, vocational training, and transportation. Government officials informally referred suspected trafficking victims to an international organization, which screened and later referred victims to the shelter. The prosecutor general's office reported repatriated victims of trafficking could apply for free medical care; however, NGOs indicated victims were occasionally required to pay for their own treatment. The government had no formal process for encouraging victims to assist in investigating and prosecuting traffickers. Prosecutors recognized the right of victims to come forth voluntarily and reported they would not pressure victims into giving information. At times, authorities punished trafficking

victims for crimes committed as a result of being subjected to trafficking. After Turkmen victims returned home following their deportation from other countries, the SMS reportedly blocked them from exiting Turkmenistan for a period of up to five years and fined them for overstaying their visas while abroad. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution and, consequently, officials may have penalized sex trafficking victims for prostitution offenses.

PREVENTION

The government made some efforts to prevent human trafficking. In partnership with an international organization, the government established a working group and held three meetings to draft a 2016-2018 national action plan to combat trafficking; however, at the end of the reporting period, the government had not yet finalized and adopted this plan. However, the government adopted an interim written plan. In 2014, the government remained without an anti-trafficking coordinating body. The government approved the requests of an international organization and NGOs to conduct public information events and campaigns, including through radio, newspaper, and other media outlets. The government provided in-kind contributions for training provided by international organizations. The government provided anti-trafficking training or guidance for its diplomatic personnel. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking. In 2014, the SMS worked with UNHCR to grant Turkmen citizenship to 786 formerly stateless persons. While the government made efforts to reduce the demand for commercial sex acts by prosecuting clients of those in prostitution, its failure to screen women in prostitution for trafficking victimization raised concerns about overall law enforcement efforts targeting the sex trade.

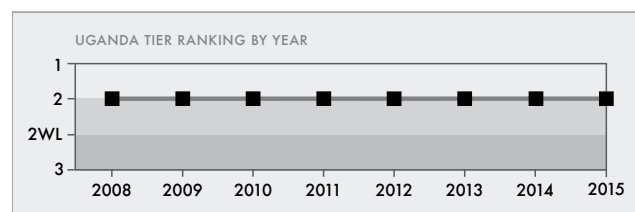
UGANDA: Tier 2

Uganda is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor within the country in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, street vending, bars, restaurants, and the domestic service sector. Prisoners in pre-trial detention engage in forced labor alongside convicts. Girls and boys are exploited in prostitution. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Ugandan children are taken to other East African countries for similar purposes and forced to engage in criminal activities. Additionally, many Karamojong children are brought to towns in Eastern Uganda where they endure forced labor in grazing and domestic servitude or to Kampala where they are exploited. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking, and UNHCR suspects instances of trafficking involving this population. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters; Ugandan children and adults previously abducted remain unaccounted for, and some remain captive with LRA elements in the DRC, Central African Republic, and South Sudan.

Licensed and unlicensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some Ugandan migrant workers endured forced labor in Saudi Arabia, Qatar, and Kuwait, even when recruited by licensed agencies. Official complicity hindered government oversight of labor recruitment agencies. Despite a continued ban on recruiting domestic workers for employment overseas, licensed and unlicensed agencies circumvented this ban, recruiting for “cleaners” or other trades with the intent of employing women in domestic work. Some Ugandan women fraudulently recruited for employment in the Middle East were exploited in forced prostitution in the United Arab Emirates (UAE), Oman, Saudi Arabia, and Qatar. Kampala-based labor recruiters and brokers also operated in Rwanda, and Nairobi-based recruiters were active in Uganda, recruiting Ugandans and resident Rwandans and Kenyans through fraudulent offers of employment in the Middle East and Asia.

A network of Ugandan women reportedly coordinated sending Ugandan women for exploitation in forced prostitution across East Asia. Some of these women transit through the UAE, India, and China—where they may also be subjected to forced prostitution—*en route* to destinations in East Asia. During the reporting period, the government reported the top destination countries for Ugandan trafficking victims remained Kuwait, the UAE, and Kenya, with the largest number of Ugandan victims identified in Kuwait.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated 293 trafficking cases in 2014, an increase from 159 cases reported the previous reporting period. It reported 23 prosecutions and four convictions in 2014, in comparison with two convictions the previous reporting period. It maintained strong efforts to identify trafficking victims, but failed to provide them with adequate services, relying on international organizations and NGOs to provide necessary care. During the year, the Counter-Trafficking in Persons (CTIP) office—under the strong leadership of its national coordinator—made efforts to raise public awareness. Nonetheless, the government’s limited allocation of resources to the CTIP office, the Ministry of Gender, Labor, and Social Development (MGLSD), and its External Employment Unit (EEU) substantially endangered the welfare of victims and inhibited progress overall.



RECOMMENDATIONS FOR UGANDA:

Significantly increase the availability of victim services by allocating resources to the MGLSD for direct care provision or provide support to NGOs that do so; designate an official focal point to oversee provision of trafficking victim protection services; increase the number of staff and funding dedicated to the CTIP office and for anti-trafficking efforts within the EEU and the Ministry of Internal Affairs (MIA); allocate increased funding to Ugandan embassies to better assist trafficking victims abroad and consider establishment of a mission in Kuwait; establish policies

and procedures for all front-line officials to identify and interview potential trafficking victims and transfer them to entities providing formal victim assistance; finalize regulations to fully implement the protection and prevention provisions of the 2009 Prevention of Trafficking in Persons (PTIP) Act; increase efforts to prosecute, convict, and punish trafficking offenders; complete amendments to labor export regulations and use existing laws to investigate and punish licensed and unlicensed labor recruiters and criminal entities responsible for knowingly sending Ugandans into forced labor or prostitution abroad; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including diplomatic personnel; establish a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; expand the anti-trafficking public awareness campaign with a particular focus on forced labor; and accede to the 2000 UN TIP Protocol.

PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years' to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Amendments proposed by the EEU to the existing regulations governing the recruitment of Ugandan workers for overseas employment, intended to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters, remained pending for the third consecutive year.

The government reported 293 investigations, 23 prosecutions, and four people convicted in 2014. As the anti-trafficking act prohibits illegal adoption and child selling, these government-reported statistics may include such cases, which are not considered trafficking in persons under the UNTIP Protocol definition unless the adoption and child selling is for the purpose of forced labor or sex trafficking. In one case, the government sentenced two convicted offenders to 27 and 25 years for aggravated trafficking for selling two children into labor exploitation. The government charged a senior manager with the Ministry of Finance with aggravated trafficking for allegedly luring five girls and women to Kampala under false pretenses, with intentions of trafficking them; this case remained pending at the end of the reporting period. The government did not report any additional investigations, prosecutions, or convictions of government employees complicit in human trafficking or trafficking-related offenses, including civil service officials and members of Parliament who own labor recruitment firms and interfere in the certification of some firms, and, at times, use promises of good jobs abroad as a means to seek votes. During the reporting period, an international NGO released a report documenting cases of sexual abuse and exploitation of Somali women and girls, including trafficking victims, by Ugandan personnel in the African Union Mission in Somalia (AMISOM). An African Union investigation into the allegations concluded there was evidence of the existence of such sexual exploitation and abuse by AMISOM personnel. The Uganda People's Defense Force (UPDF) sent an investigation team to Somalia, which identified up to five suspects for prosecution. A foreign donor, in coordination with the UPDF, trained troops on human rights, trafficking in persons, and sexual abuse issues prior to their deployment for the stabilization mission in Somalia or international peacekeeping missions elsewhere. The government's ability to cooperate internationally on trafficking investigations—specifically

those involving the trafficking of Ugandan women to the Middle East and Asia—was hampered due to lack of funding. However, the government maintained its cooperative efforts with Rwanda, Kenya and South Sudan. In May 2014, officials from the Ugandan police and INTERPOL participated in a regional operation against cross-border crime, covering Eastern and Southern Africa, during which 13 trafficking victims were rescued, including 10 men from Ghana rescued from forced labor in Uganda and three Ugandan women removed from forced labor and sexual exploitation in the UAE.

In January 2015, the National Taskforce trained 50 police officers on anti-trafficking measures and an additional 392 officials, including police officers, magistrates, civil aviation officers, and licensed labor recruitment companies on identification and management of trafficking victims, investigation procedures of trafficking cases, and implementation of the PTIP Act. Nonetheless, some judicial officers were not aware of the PTIP Act. NGOs reported trafficking victims are often paid monetary settlements by suspects to withdraw their requests and support for trafficking prosecutions.

PROTECTION

The government did not demonstrate improved protection efforts, as it failed to provide victims with care or to support organizations that did so. It did not complete implementing regulations for the 2009 PTIP Act or allocate funding for the implementation of its victim protection provisions. The government reported providing medical treatment to victims through the National Taskforce; however, it continued to rely on NGOs and international organizations to provide the majority of victim services. The government reported its identification of at least 293 victims; however, it remained without procedures for use by all front-line officials in the systematic identification of victims among high-risk groups. Likewise, Uganda remained without a formal process to refer victims to protective services, but the National Taskforce consulted with international organizations and NGOs to coordinate victim support on an *ad hoc* basis. Victim care remained inadequate and services available were primarily for women.

Although the government provided travel documents to victims stranded overseas, it did not fund return travel or provide medical care or shelter to these or other repatriated trafficking victims upon their return to Uganda. During the reporting period, the CTIP office assisted 76 young Ugandan women by providing services including consular support, travel documents, and liaising with families of victims; the Ministry of Foreign Affairs collaborated with NGOs to provide counseling and temporary shelter to these women. The government did not provide any repatriation assistance to trafficking victims in 2014, although an international organization did. The government did not provide adequate shelter for many transnational victims identified outside of Uganda; it lacked safe housing to temporarily house victims. Street children, including potential trafficking victims, are often temporarily held for up to three months at an under-resourced MGLSD juvenile detention center that provided food, medical treatment, counseling, basic education, and family-tracing services. Reports indicate police and communities treat street children as criminals, arbitrarily arresting, detaining, and beating them, and forcing them to clean detention facilities. The government has not established appropriate systems to ensure such children do not reappear on the streets. While Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply

for residence and work permits, the government reported that no permits were requested because all foreign victims chose to return home during the reporting period.

PREVENTION

The government increased its efforts to prevent human trafficking through engagement with the media, but oversight of labor recruitment agencies remained inadequate. The MIA continued to oversee the government's CTIP office, led by the national coordinator, an assistant police commissioner, to coordinate government anti-trafficking efforts. The staffing and budget of the CTIP office remained inadequate. The National Taskforce—coordinated by the CTIP office—conducted regular meetings and continued publishing quarterly reports used to monitor the government's anti-trafficking efforts. In consultation with NGOs, CTIP completed its draft of a national action plan; however, it awaited cabinet approval at the end of the reporting period.

In 2014, the government continued its robust national awareness campaigns—composed of talks, media outreach, and distribution of written materials. CTIP, with support from a foreign donor, produced 60,000 brochures for anti-trafficking purposes, to be placed in Ugandan passports. Additionally, the National Taskforce placed banners at MIA Offices of Police Special Investigation Division, and INTERPOL with information on identifying traffickers and getting help.

INTERPOL continued additional screening for trafficking indicators for those attempting to emigrate for work. In April 2014, MIA, through the National Security Information System project, initiated a biometric national identification register. The project aimed to register 18 million people in which 16 million people had been registered by the end of the reporting period. Immigration officials scrutinized travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries; this involved passport confiscation and denying Ugandan citizens their freedom of movement, which reportedly led migrants to take more precarious routes through neighboring countries, such as Kenya.

In 2014, the MGLSD initiated its review of the regulations on the export of labor for the purpose of addressing trafficking loopholes used by recruitment agencies. Nonetheless, it did not report progress in the implementation of the Foreign Labor Recruitment Guidelines and Regulations, developed in the previous reporting period. Beyond corruption interfering in the oversight of labor recruitment firms, the EEU remained understaffed, preventing adequate implementation of its mandate; it failed to conduct monitoring visits of employment agencies, as done in the previous reporting period. The government did not report on its efforts to close down unlicensed recruitment agencies or suspend the licenses of those suspected of facilitating human trafficking; it merely recommended recruitment agencies bear the responsibility for repatriation of victims or face deregistration. The government did not pursue criminal prosecution—under the 2009 anti-trafficking act—of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. MGLSD led the National Taskforce efforts in negotiating bilateral agreements with Kuwait, Saudi Arabia, and Qatar; however, it did not finalize such formal agreements with destination countries—limiting the government's ability to facilitate investigations and victim rescues abroad. The government continued to hold orientation sessions for Ugandans departing for work abroad, including how to seek

assistance if abuse occurs. Although initially dismissed on procedural grounds, the March 2011 civil case against the attorney general, the inspector general of police (IGP), the director of public prosecution (DPP), and a labor recruitment agency for allegedly trafficking 155 Ugandan women to Iraq was refiled, with a hearing expected in late May 2014. The complaint alleges the IGP knew the women would be exploited and failed to carry out his constitutional duty to protect them, and that the DPP subsequently failed to prosecute the recruitment agency. Labor officers and community development officers urged employers to stop using child labor and sometimes referred child labor cases to the police. The Industrial Court, established to hear child labor cases, became operational in April 2014; however, no child labor cases were brought to the court during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government failed to make efforts to reduce the demand for commercial sex acts or forced labor in 2014. Uganda is not a party to the 2000 UN TIP Protocol.

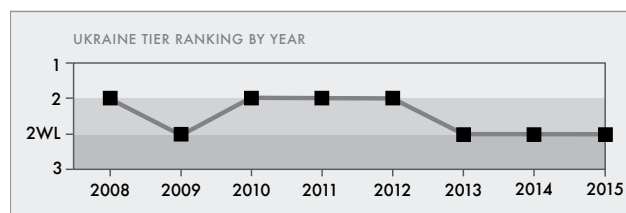
UKRAINE: Tier 2 Watch List

Ukraine is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Turkey, the United States, and other parts of Europe, Central Asia, and the Middle East. Ukrainian women and children are subjected to sex trafficking within the country. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of foreign nationals, including those from Moldova, Russia, Vietnam, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The approximately 82,000-200,000 children institutionalized in state-run orphanages are especially vulnerable to being subjected to trafficking. Officials of several state-run institutions and orphanages are allegedly complicit or willfully negligent to the sex and labor trafficking of girls and boys under their care.

Russia's aggression that has fueled the conflict in eastern Ukraine has displaced over 1.3 million people, and this population is especially vulnerable to exploitation. There have been reports of kidnapping of women and girls from conflict-affected areas for the purposes of sex and labor trafficking. Russian-separatist forces fighting in Ukraine's eastern oblasts of Luhansk and Donetsk have reportedly employed minors as soldiers, informants, and used them as human shields. This reported recruitment and usage of minors as combatants took place on territory not under control of the central government, or in areas where the central government is unable to enforce national labor law due to the military conflict. In addition, self-proclaimed separatist leader Aleksandr Zakharchenko has allegedly stated that children as young as 14 are fighting in his rebel unit. Media sources have reported over a dozen cases of the use of children in the conflict by combined Russian-separatist forces. In addition, although the Government of Ukraine has proactively enforced prohibitions against the use of children under 18 in the conflict, credible media sources have reported one to two incidents of children as young as 16 fighting with Ukrainian forces not under direct control of the government.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Ukraine is placed on Tier 2 Watch List for a third consecutive year. Ukraine was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan.

During the reporting period, the government assisted foreign counterparts on transnational trafficking investigations and partnered with international experts to provide specialized training to over 750 public officials on victim identification and assistance. However, the government's anti-trafficking capacity was constrained by the need to dedicate resources to improving the security situation caused by Russian aggression. Government efforts were also constrained by poor coordination at the national level, a lack of understanding in government agencies about the issue, and corruption, which undermined governance and the rule of law. The government relied on foreign donors and NGOs to fund and provide the majority of victim services. Victim identification remained inadequate, and only a small portion of victims assisted by NGOs were referred to care or certified by the government. The number of trafficking prosecutions and convictions declined sharply, continuing a multi-year decline, and the majority of convicted traffickers were not sentenced to prison.



RECOMMENDATIONS FOR UKRAINE:

Vigorously investigate trafficking offenses and prosecute and convict traffickers and officials complicit in trafficking; provide victims with assistance under the trafficking law or fund NGOs providing services and shelter; provide funding adequate to fully implement the national action plan; increase training for officials on victim identification, particularly in the proactive screening of vulnerable populations, such as individuals in prostitution and internally displaced persons (IDPs); sensitize judges to the severity of this crime to ensure convictions result in proportionate and dissuasive sentences; increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases; certify more victims to ensure they are afforded their rights under the trafficking law; harmonize migration employment and trafficking laws to clarify foreign trafficking victims are eligible for temporary residency and for employment authorization; and provide victims with protective measures allowed under the witness protection law.

PROSECUTION

The government demonstrated weakened law enforcement efforts in pursuing trafficking cases, given its focus of resources on fighting